

**USACE contact for EJ****Terry Brown** to: Kenneth Champagne

Cc: Randy Brown03, Susanna Trujillo

Bcc: Terry Brown

12/13/2012 11:14 AM

Hi Ken - Do you have a contact with the USACE that could direct me to an USACE person who deals Environmental Justice issues? Below is an email from the Environmental Director for the Ute Mountain Ute Tribe. Since EPA does not have authority for these NRC regulated wastes, we're looking for an USACE contact.

The Ute Mountain Ute Tribe in Utah feel that a nearby Uranium Mill (the White Mesa Mill) can potentially contaminate surface waters and the Tribe drinking water source. The US Army Corp of Engineer have the responsibility to remediate Formerly Utilized Sites Remedial Action Program (FUSRAP) sites. FUSRAP sites were generated by the Manhattan Engineer District or Atomic Energy Commission activities that were performed during the 1940s, 1950s and 1960s. Some of these radioactive wastes are being sent to the White Mesa Mill. EPA does not have authority for these wastes, so we're trying to help the Tribe contact an EJ person for the USACE. Thanks.

-Terry
312-6419

----- Forwarded by Terry Brown/R8/USEPA/US on 12/13/2012 10:58 AM -----

From: Scott Clow <sclo@utemountain.org>
To: Terry Brown/R8/USEPA/US@EPA
Cc: Randy Brown03/R8/USEPA/US@EPA, Susanna Trujillo/R8/USEPA/US@EPA, Sam Vance/R8/USEPA/US@EPA, Colin Larrick <clarrick@utemountain.org>, Celene Hawkins <chawkins@utemountain.org>
Date: 11/27/2012 07:18 PM
Subject: FW: cell 1

Hi Terry-

This was part of what we have received from the State of Utah on an information request recently. The DRC issued an order giving the mill owners 2 years to drain and repair cell 1 at the facility- the liquid waste cell in 2010. What this shows is that they have only began the draining process and the liner is severely deteriorated. I understand your somewhat limited decision making process on the CERCLA waste decision and that if the State doesn't declare a violation exists then you go by that. What is not clear to you is that the State refrains from creating violations by doing things like this- giving extremely long periods of time for repairs and remediation, and raising groundwater compliance standards to be easier to meet.

We requested all information about the compliance order, but we were not provided with the State's response to the report filed by the mill owners. We will ask again for that.

Sam Vance asked recently if we thought the existing chloroform plume under the mill could be the source of the vinyl chloride found in some monitoring wells, but our hypothesis is that it came from holes like this one being dissolved in the PVC liners. Our liner engineering expert agrees.

Scott

From: Colin Larrick

Sent: Tuesday, November 20, 2012 4:13 PM

To: Scott Clow; Celene Hawkins

Subject: cell 1

So, I guess we need to do another GRAMA request on this cell 1 issue. This cell 1 repair report we received from phil requires DRC (executive secretary) review and approval, this wasn't included. We need the DRC response on this repair/report because EFR was only required to drop the solution level in cell 1 to 5,613 feet amsl. The bottom elevation of cell 1 is somewhere around 5,980 feet amsl, as you can see in the photo below most of the solution remained in the cell so most of the liner was not examined/repaired.

The reports EFR filed show that the liner material they did expose was either extremely degraded or missing entirely around the extent of the cell (additional confirmation that the "leak detection" system under cell 1 is junk) so I don't see how the remainder would be any different and we need to see if DRC gave EFR a pass and approved this "repair" or if they are doing the right thing



Example of liner damage adjacent (smaller bare spot) to section of liner removed (larger bare spot) for replacement. Area is on east slope of Cell 1, just north of main discharge pipe from Mill/SX area.

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